

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROY DEN HOLLANDER,

Plaintiff on behalf of himself
And all others similarly situated,

Case No. 07 CV 5873 (MGC)

-against-

COPACABANA NIGHTCLUB, CHINA CLUB, GUEST
HOUSE, A.E.R. NIGHTCLUB, LOTUS, SOL, AND
JANE DOE PROMOTERS,

Defendants.

-----X
**PROPOSED CASE
MANAGEMENT PLAN
SUBMITTED BY
DEFENDANT LOTUS**

Based on Lotus' participation in the Rule 26(f) conference, held September 19, 2007,
the following proposed case Schedule and Discovery Plan resulted.

Proposed Schedule

Joinder of additional parties by: Plaintiff requests two weeks after the completion of
depositions.

Lotus objects to that timing on the grounds that, pursuant to Plaintiff's proposal, there will
be no opportunity for Lotus or other Defendants to take the deposition of additional parties.
Lotus proposes February 11, 2007.

Amendment of pleadings by: In his written submission, Plaintiff requests
adherence to Rule 15, but during the conference, Plaintiff said that he wanted to amend the
pleadings after the completion of discovery.

Lotus requests the 20 days allowed by Federal Rule of Civil Procedure 15(a) to enable
them to obtain discovery on any newly added claims.

Class certification motion, assuming there is no discovery on the class issues, by:

Plaintiff requests November 15, 2007,

Defendants will present their position at the October 16th conference.

All motions other than summary judgment by: May 2, 2008.

In accordance with Judge Cedarbaum's rules, **all trial witnesses, including experts**, to be disclosed 15 days prior to the end of discovery.

All discovery to be completed by: April 11, 2008.

Joint Pretrial Order to be submitted by: 60 days before Trial.

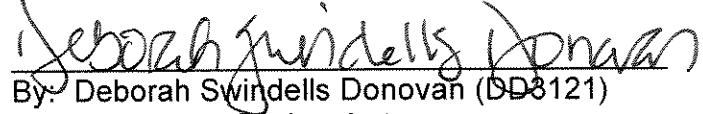
Final Pretrial Conference: 14 days before Trial.

Trial: October 2008

Plaintiff also submitted what appeared to be a Joint Pretrial Order. Lotus respectfully suggests that such a plan is premature and should be disclosed in accordance with the above schedule, namely, sixty days before trial.

Dated: October 1, 2007
New York, New York

Respectfully submitted,
Gordon & Rees, LLP


By: Deborah Swindells Donovan (DD8121)
Attorneys for Defendant Lotus
90 Broad Street, 23rd Floor
New York, New York 10004
(212) 269-5500

TO: Roy Den Hollander, Esq.
Plaintiff
545 East 14th Street
New York, New York 10009
(212) 995-5201

Vanessa R. Elliot, Esq.
Beattie Padovano, LLC
Attorneys for Defendant A.E.R. Lounge, LLC
50 Chestnut Ridge Road
Montvale, New Jersey 07645
(201) 573-1810

Thomas B. Wilinsky, Esq.
Biancone & Willinsky, LLP
Attorneys for Defendant Nightlife Enterprises, L.P. d/b/a China Club
230 Park Avenue, Suite 606
New York, New York 10169
(212) 661-1888

Adam B. Kaufman, Esq
Adam B. Kaufman & Associates, PLLC
Attorneys for Defendant Sol
585 Stewart Avenue, Suite 302
Garden City, New York 11530
(516) 228-8823

Charles B. Linn, Esq.
Attorneys for Defendant Copacabana
901 North Broadway
North White Plains, New York 10603
(914) 949-4200